

MINUTES
TOWN OF EDGEWOOD
REGULAR COUNCIL MEETING – APRIL 15, 2009 @ 6:30 P.M.
EDGEWOOD COMMUNITY CENTER - #27 E. FRONTAGE ROAD

1. CALL TO ORDER.

Mayor Pro-Tem Felton called the meeting to order at 6:30 P.M. All Councilors were present with the exception of Councilor Abrams. Also present were Ms. Karen Mahalick, Manager Community Planning & Development, Ms. Estefanie Muller, Clerk- Treasurer, and Mr. Marcus Rael, Town Attorney.

2. PLEDGE OF ALLEGIANCE.

3. APPROVAL OF THE AGENDA.

Mayor Pro-Tem Felton discussed the Agenda and made some suggestions regarding the tabling of items due to lack of a quorum as well as moving some items within the Agenda.

MOTION: Councilor Simmons made a motion to amend the Agenda, moving Item 9 to Item 7, Item 13K, and tabling all Public Hearings until the next Council Meeting. Councilor Hill seconded the motion. Councilor Simmons amended her motion to state that the Public Hearing would be heard on May 6, 2009 at 6:30 P.M. Councilor Hill seconded the motion.

VOTE: Councilor Hill voted aye. Mayor Pro-Tem voted aye. Councilor Simmons voted aye. The motion carried.

4. MATTERS FROM THE MAYOR.

None.

5. MATTERS FROM THE COUNCILORS and/or ANNOUNCEMENTS.

Councilor Simmons thanked staff for the placement of the Wind Festival into the NMML Newsletter.

Councilor Hill stated that he had been asked to become a member of a new group called the Edgewood Veterans Memorial Association who will begin working on the construction of a Veterans Memorial in Edgewood.

6. MATTERS FROM THE ATTORNEY.

Mr. Rael will be present.
None.

April 15, 2009

Initials

7. PUBLIC COMMENTS. (Limit to 2 minutes per person).

Note: If you plan to testify under Public Hearings, please do not sign up for this topic.

Ms. Audrey Jaramillo gave an update on the EASY Program stating that the Committee had received the survey from Route 66 Elementary and 302 students would be interested in utilizing the program. She added that the program had been delayed and it was her understanding that the Mayor was recommending no funding for the next fiscal year. She asked for some time on an Agenda for a presentation before the budget is decided.

Ms. Dolly Lane discussed the EASY Program and why she felt it was such an important program for Edgewood and urged Council to help fund the program.

8. SANTA FE COUNTY FIRE STATION PRESENTATION – Chief Stan Holden.

Chief Stan Holden discussed the design of the new fire station and outlined some of the qualifications and previous projects of the Architect Marcie Riskin. He presented some illustrations of the new station on Section 16.

Ms. Mahalick asked about the phasing for public parking off of Municipal Way and when will it take place.

Chief Holden responded stating that it would take place at the same time as the rest of the project but the Town and the County would need to decide together what entrance would look like as well as the shared cost of the development.

Ms. Mahalick asked where the water line was going to come in at.

Chief Holden responded that he did not know at this time let alone which facility it would be coming from.

Chief Holden described the materials to be used, landscaping, water and the colors for the facility.

Ms. Marcie Riskin presented some more detailed information about the design for the Council highlighting some of the Green aspects.

Councilor Hill asked about LEED Certification.

Ms. Riskin stated that they were not seeking LEED Certification but that there are elements within the design to conserve energy.

Chief Holden stated that he would update Council as they progress with the project.

9. E.V.E.D.A. – Ms. Myra Pancrazio.

A. Ms. Pancrazio will discuss renewal of the Economic Development Contract. Mr. Steve Jones introduced some of the board members that were present at this meeting.

Ms. Myra Pancrazio presented the Quarterly Report for Council. She also discussed Councilor Simmons involvement in a movie companies' commitment to producing a film here in Edgewood and the Estancia Valley.

She also discussed some upcoming events as well as an email that she forwarded to each of the Council Members regarding funding that is available from the USDA in the form of loans and grants.

Ms. Pancrazio also discussed Member Contracts stating that they were asking for a two year contract from the Town.

Ms. Kathy McCormick updated the Council on some of the upcoming events.

Mayor Pro-Tem Felton discussed the invoices and the Contract with the Town and he asked that the Council support the renewal of the Contract and asked Mr. Rael for direction.

MOTION: Councilor Simmons made a motion to renew the Contract in the amount of \$12,500.00. Councilor Hill seconded the motion.

Councilor Hill discussed the upcoming budget item regarding Gross Receipts and stated that he wondered if the Town would not benefit from keeping the Contract at the current level and asked for direction from Mr. Rael.

Mr. Rael stated that Council could extend the Contract for May and June of this year. A new contract would have to be a budget item for approval

MOTION: Councilor Hill made a motion to extend the current contract to expire June 30, 2009 in the amount of \$7500.00. Councilor Simmons seconded the motion.

VOTE: Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

Ms. Pancrazio stated that they would be happy to assist in the Edgewood Veterans Memorial Association project.

10. PUBLIC HEARINGS.

Legislative Procedure: Certification that Public Notice of this Meeting has been posted as required: Continued from the Council Meeting of April 1, 2009.

B. Amend SU-2005-14 Subdivision Ordinance preliminary plat extension process, (Section 7-B).

Tabled.

Legislative Procedure: Certification that Public Notice of this Meeting has been posted as required:

- C. Amend the Personnel Ordinance No. 2003-5 to allow for a six (6) month probationary period for certified police officers to begin on date of employment and continue thereafter. The probationary period for non-certified police officers shall begin on date of employment and continue for twelve (12) months thereafter.

Tabled.

Legislative Procedure: Certification that Public Notice of this Meeting has been posted as required:

- D. Request to amend the 2003-4 Zoning Ordinance to allow Multi-use, Rural Residential and Estates as permitted uses in the Master Plan Zone.

Tabled.

Quasi Judicial Procedure: Certification that Public Notice of this Meeting has been posted as required:

This case is being heard under provisions required by the New Mexico Court of Appeals intended to protect the rights of all parties and their witnesses and the swearing in of all parties giving testimony. The affected parties will have the right to cross-examine persons giving testimony.

**Confirmation of no conflict of interest or ex-parte communication.
(ROLL CALL VOTE)**

- E. Request to zone 208 acres located between Venus and Hill Ranch Road. Section 7, T10N,R7E, N.M.P.M. as Rural Residential.

Tabled.

11. ANIMAL CONTROL REPORT – Officer Victoria Murphy.

F. Report for the month of March, 2009.

Ms. Victoria Murphy presented the Animal Control report for the month of March, 2009.

12. TOWN OF EDGEWOOD POLICE REPORT – Chief Swanberg.

G. Chief Swanberg will present his report for the month of March, 2009.

Chief Swanberg presented his report for the month of March for the Council and discussed the training the officers are mandated to attend at APD. He also discussed the Volunteer Program that staff is working on. Interviews for Police Officer Candidates is scheduled for this Saturday. He added that the COPS Grant applications had been submitted.

13. PARKS & RECREATION REPORT – Mr. Roger Holden

H. Report for the month of March, 2009.

Mr. Roger Holden presented his report for the month of March.

Mayor Pro-Tem Felton asked about the number of gates on Section 34 and the RFP.

Mr. Holden responded outlining the method of payment and enforcement of these gates and stated that he had presented this to the BLM office.

I. Parks & Recreation Meeting Minutes for February 26, 2009.

Mr. Holden reviewed this item for the Council.

J. Presentation on the Town of Edgewood Trail Plan (Part 2) as recommended by the Parks & Recreation Advisory Committee.

Mr. Holden reviewed this item for the Council as well as updating on some upcoming events.

K. Presentation for the 2009 Y.E.S. Program (Scope of Work and Budget). Ms. Karen Harrison discussed the budget from last year as compared to the award of \$20,000.00 from Santa Fe County this year. She added that she is planning to raise the fees and will as creative as possible to make up the difference.

Ms. Mahalick stated that Ms. Harrison would need approval from Council to raise the fees for the program.

Ms. Harrison stated that she was dealing with a shortage of time and needed to move forward with advertising for staffing. This will allow time to meet certification requirements.

MOTION: Councilor Hill made a motion to approve the Y.E.S. Program for 6 weeks at 4 days a week at \$50.00 per child, commencing June 1, 2009. Councilor Simmons seconded the motion.

VOTE: Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

14. COMMUNITY DEVELOPMENT REPORT.

L. Contract Change Order for the Wastewater Disposal System.

Ms. Mahalick reviewed this item for the Council.

MOTION: Councilor Hill made a motion to approve the change order in the amount of \$15,086.00 plus tax. Councilor Simmons seconded the motion.

VOTE: Councilor Simmons voted aye. Councilor Hill voted aye. The motion carried.

M. Acceptance of the Frost Road Project.

Ms. Mahalick reviewed this item for the Council and included detail found in the Close-Out-Letter from Dennis Engineering.

MOTION: Councilor Simmons made a motion to accept the contract as presented. Councilor Hill seconded the motion.

VOTE: Councilor Simmons voted aye. Councilor Hill voted aye. The motion carried.

N. Approval of Roads for Dust Abatement.

Ms. Mahalick reviewed this item for the Council outlining the traffic volumes for various roads listed for Dust Abatement.

Mr. Norton Henninger stated from the audience that 4 miles were needed

MOTION: Councilor Hill made a motion to approve the application of Dust Abatement for William Ranch Road, V-Hill Road, and Rainbow Road. Councilor Simmons seconded the motion.

VOTE: Councilor Simmons voted aye. Councilor Hill voted aye. The motion carried.

O. Approval for Land Acquisition.

MOTION: Councilor Hill made a motion to table this item until the next Council Meeting of May 6, 2009. Councilor Simmons seconded the motion.

VOTE: Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

15. FINANCE AND ADMINISTRATION.

P. Approval of Town Bills.

Ms. Muller reviewed both types of reports that were presented to the Council.

MOTION: Councilor Simmons made a motion to approve the Town Bills. Councilor Hill seconded the motion.

VOTE: Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

Q. Approval of the Financial Report for the month of March, 2009.

Ms. Muller updated the Council on the Financial Report stating that the Town was minus approximately \$50,000.00 that the State Treasury withdrew for litigation.

MOTION: Councilor Hill made a motion to approve the Financial Report for the month of March, 2009. Councilor Simmons seconded the motion.

VOTE: Councilor Simmons voted aye. Councilor Hill voted aye. The motion carried.

16. APPROVAL OF PREVIOUS MINUTES.

R. Regular Council Meeting Minutes of April 1, 2009.

MOTION: Councilor Simmons made a motion to approve the Regular Council Meeting Minutes of April 1, 2009. Councilor Hill seconded the motion.

VOTE: Councilor Simmons voted aye. Councilor Hill voted aye. The motion carried.

17. ACKNOWLEDGE RECEIPT OF THE PLANNING & ZONING COMMISSION MEETING MINUTES.

S. Regular Planning & Zoning Commission Meeting of April 6, 2009.

MOTION: Councilor Simmons made a motion to acknowledge receipt of the Regular Planning & Zoning Commission Meeting Minutes of April 6, 2009. Councilor Hill seconded for discussion.

Councilor Simmons asked about the Rules of Conduct regarding the ex-parte and conflict of interest discussion that stated that Commissioner should leave the room.

Ms. Mahalick clarified that this discussion was generated by the Commissioner Training that was attended by some of the Commissioners and their desire to be compliant.

Council discussed the ex-parte and conflict of interest issues and whether a Councilor or Commissioner should recuse themselves in light of the fact that these items brought before the Council and the Commission could eventually go to court.

VOTE: Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

18. ACKNOWLEDGE RECEIPT OF THE ENERGY COMMITTEE MEETING MINUTES.

T. Meeting Minutes of February 21, 2009.

U. Meeting Minutes of March 14, 2009.

MOTION: Councilor Simmons made a motion to acknowledge receipt of the Energy Committee Meeting Minutes from February 21, and March 14, 2009. Councilor Hill seconded for discussion.

Councilor Hill discussed the past Legislative Session regarding the imposition of an increase in property taxes to pay for energy efficiency measures on personal residences and added that he would like the Energy Committee to take a look at this and bring more information to the Council.

VOTE: Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

19. TOWN OF EDGEWOOD PRELIMINARY BUDGET REVIEW FOR 2009-2010 FISCAL YEAR.

Councilor Hill requested a spreadsheet containing budget information by department but minus the detail so that they may review it at the Budget Meeting.

Ms. Mahalick stated that she would provide this as well as a couple of lap-top computers for Councils use during the meeting.

Ms. Mahalick asked Council to look at some of the increases and the revenue.

20. ANNOUNCEMENTS, CALENDAR REVIEW & FUTURE AGENDA ITEMS.

V. Budget Preparation Meeting – May 2, 2009 @ 9:00 A.M. (to be re-scheduled)

Ms. Muller discussed some of the dates and times to reschedule this meeting.

Council decided to keep the meeting scheduled for May 2, 2009 @ 9:00 A.M.

W. Regular Council Meeting – May 6, 2009.

X. Regular Council Meeting – May 20, 2009.

21. ADJOURN.

MOTION: Councilor Simmons made a motion to adjourn the meeting.
Councilor Hill seconded the motion.

Mayor Pro-Tem adjourned the meeting at 9:11 P.M.

PASSED, APPROVED AND ADOPTED this 6th day of May, 2009.

Honorable Robert Stearley, Mayor

ATTEST:

Estefanie B. Muller, Clerk-Treasurer